

Union Calendar No. 112

107TH CONGRESS
1ST SESSION

H. R. 2047

[Report No. 107–190]

To authorize appropriations for the United States Patent and Trademark Office for fiscal year 2002, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 5, 2001

Mr. COBLE (for himself, Mr. BERMAN, and Mr. CONYERS) introduced the following bill; which was referred to the Committee on the Judiciary

AUGUST 2, 2001

Additional sponsors: Mr. ISAKSON and Mr. SMITH of Texas

AUGUST 2, 2001

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on June 5, 2001]

A BILL

To authorize appropriations for the United States Patent and Trademark Office for fiscal year 2002, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Patent and Trademark*
 3 *Office Authorization Act of 2002”.*

4 **SEC. 2. AUTHORIZATION OF AMOUNTS AVAILABLE TO THE**
 5 **PATENT AND TRADEMARK OFFICE.**

6 *There are authorized to be appropriated to the United*
 7 *States Patent and Trademark Office for salaries and nec-*
 8 *essary expenses for fiscal year 2002 an amount equal to*
 9 *the fees collected in fiscal year 2002 under title 35, United*
 10 *States Code, and the Trademark Act of 1946 (15 U.S.C.*
 11 *1051 et seq.).*

12 **SEC. 3. ELECTRONIC FILING AND PROCESSING OF PATENT**
 13 **AND TRADEMARK APPLICATIONS.**

14 *(a) ELECTRONIC FILING AND PROCESSING.—The*
 15 *Under Secretary of Commerce for Intellectual Property and*
 16 *Director of the United States Patent and Trademark Office*
 17 *(in this Act referred to as the “Director”) shall, during the*
 18 *3-year period beginning October 1, 2001, develop an elec-*
 19 *tronic system for the filing and processing of patent and*
 20 *trademark applications, that—*

21 *(1) is user friendly; and*

22 *(2) includes the necessary infrastructure—*

23 *(A) to allow examiners and applicants to*
 24 *send all communications electronically; and*

1 (B) to allow the Office to process, maintain,
 2 and search electronically the contents and his-
 3 tory of each application.

4 (b) *AUTHORIZATION OF APPROPRIATIONS.*—Of
 5 amounts authorized under section 2, there is authorized to
 6 be appropriated to carry out subsection (a) of this section
 7 not more than \$50,000,000 for fiscal year 2002. Amounts
 8 made available pursuant to this subsection shall remain
 9 available until expended.

10 **SEC. 4. STRATEGIC PLAN.**

11 (a) *DEVELOPMENT OF PLAN.*—The Director shall, in
 12 close consultation with the Patent Public Advisory Com-
 13 mittee and the Trademark Public Advisory Committee, de-
 14 velop a strategic plan that sets forth the goals and methods
 15 by which the United States Patent and Trademark Office
 16 will, during the 5-year period beginning on October 1,
 17 2002—

- 18 (1) enhance patent and trademark quality;
- 19 (2) reduce patent and trademark pendency; and
- 20 (3) develop and implement an effective electronic
- 21 system for use by the Patent and Trademark Office
- 22 and the public for all aspects of the patent and trade-
- 23 mark processes, including, in addition to the elements
- 24 set forth in section 3, searching, examining, commu-

1 *nicating, publishing, and making publicly available,*
2 *patents and trademark registrations.*

3 *The strategic plan shall include milestones and objective*
4 *and meaningful criteria for evaluating the progress and*
5 *successful achievement of the plan. The Director shall con-*
6 *sult with the Public Advisory Committees with respect to*
7 *the development of each aspect of the strategic plan.*

8 *(b) REPORT TO CONGRESSIONAL COMMITTEES.—The*
9 *Director shall, not later than January 15, 2002, or 4*
10 *months after the date of the enactment of this Act, whichever*
11 *is later, submit the plan developed under subsection (a) to*
12 *the Committees on the Judiciary of the House of Represent-*
13 *atives and the Senate.*

14 **SEC. 5. EFFECTIVE DATE.**

15 *This Act shall take effect on October 1, 2001.*

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